



**[Docket No. IC22-9-000]**

**Commission Information Collection Activities (FERC-912); Comment Request; Extension**

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Notice of information collections and request for comments.

**SUMMARY:** In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC-912 (PURPA Section 210(m) Notification Requirements Applicable to Cogeneration and Small Power Production Facilities) and is submitting the information collection to the Office of Management and Budget (OMB) for review. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission published a 60-day notice in the Federal Register on March 23, 2022. The Commission received no comments.

**DATES:** Comments on collections of information are due **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Send written comments on FERC Form 912 (IC22-9-000) to OMB through [www.reginfo.gov/public/do/PRAMain](https://www.reginfo.gov/public/do/PRAMain), Attention: Federal Energy Regulatory Commission Desk Officer. Please identify the OMB Control Number 1902-0237 (PURPA Section 210(m) Notification Requirements Applicable to Cogeneration and Small Power Production Facilities) in the subject line. Your comments should be sent within 30 days of publication of this notice in the Federal Register.

Please submit copies of your comments (identified by Docket No. IC22-9-000) to the Commission as noted below. Electronic filing through <http://www.ferc.gov>, is preferred.

- Electronic Filing: Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.
- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.
  - Mail via U.S. Postal Service only, addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, N.E., Washington, DC 20426.
  - Hand (including courier) delivery to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

*Instructions:* OMB submissions must be formatted and filed in accordance with submission guidelines at [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Using the search function under the “Currently Under Review field,” select Federal Energy Regulatory Commission; click “submit” and select “comment” to the right of the subject collection. FERC submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov>. For user assistance, contact FERC Online Support by e-mail at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or by phone at: (866) 208-3676 (toll-free).

*Docket:* Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <http://www.ferc.gov>.

**FOR FURTHER INFORMATION:** Ellen Brown may be reached by e-mail at [DataClearance@FERC.gov](mailto:DataClearance@FERC.gov) and telephone at (202) 502-8663.

**SUPPLEMENTARY INFORMATION:**

*Title:* FERC-912, PURPA Section 210(m) Notification Requirements Applicable to Cogeneration and Small Power Production Facilities

*OMB Control No.:* 1902-0237

*Type of Request:* Three-year extension of the FERC-912 information collection requirements with no changes to the current reporting requirements.

*Abstract:* On 8/8/2005, the Energy Policy Act of 2005 (EPAc 2005)<sup>1</sup> was signed into law. Section 1253(a) of EPAc 2005 amends Section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA) by adding subsection “(m),” that provides, based on a specified showing, for the termination and subsequent reinstatement of an electric utility’s obligation to purchase from, and sell energy and capacity to, qualifying facilities (QFs). In 2019, the Commission revised its regulations in 18 CFR 292.309 – 292.313 in Docket No. RM19-15-000 to account for industry changes. These industry changes include: the decrease in reliance on oil and natural gas, the increase of natural gas supply due to access of shale reserves, and the decreasing costs of renewable energy sources. Due to the modifications in the rulemaking, the Commission revised its information collection requirements. The Commission now collects the following information on FERC Form 912:

- §292.310: an electric utility’s application for the termination of its obligation to purchase energy from a QF,
- §292.311: an affected entity or person’s application to the Commission for an order reinstating the electric utility’s obligation to purchase energy from a QF,
- §292.312: an electric utility’s application for the termination of its obligation to sell energy and capacity to QFs, and
- §292.313: an affected entity or person’s application to the Commission for an order reinstating the electric utility’s obligation to sell energy and capacity to QFs.<sup>2</sup>

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<sup>1</sup> Public Law 109-58, 119 Stat. 594 (2005).

<sup>2</sup>18 CFR 292.311 and 292.313.

*Type of Respondents:* Electric utilities.

*Estimate of Annual Burden:*<sup>3</sup> The Commission estimates the total Public Reporting

Burden and cost for this information collection as follows:

<b>FERC-912 (IC22-9-000): Cogeneration and Small Power Production, PURPA Section 210(m) Regulations for Termination or Reinstatement of Obligation to Purchase or Sell</b>						
	<b>Number of Respondents</b>	<b>Number of Responses Per Respondent</b>	<b>Total Number of Responses</b>	<b>Average Burden Hours &amp; Average Cost per Response (\$)<sup>4</sup></b>	<b>Total Annual Burden Hours &amp; Total Annual Cost (\$)</b>	<b>Cost per Respondent (\$)</b>
	<b>(1)</b>	<b>(2)</b>	<b>(1) x (2) = (3)</b>	<b>(4)</b>	<b>(3) x (4) = (5)</b>	<b>(5) ÷ (1) = (6)</b>
Termination of obligation to purchase	10	1.5	15	12 \$1,044	180 \$15,660	\$1,566
Reinstatement of obligations to purchase	0	0	0	0 \$0	0 \$0	\$0
Termination of obligation to sell	2	1	2	8 \$696	16 \$1,392	\$696
Reinstatement of obligation to sell	0	0	0	0 \$0	0 \$0	\$0
<b>Total</b>					<b>196 hours \$17,052</b>	<b>\$2,262</b>

*Comments:* Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the

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<sup>3</sup> Burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to Title 5 Code of Federal Regulations 1320.3.

<sup>4</sup> The estimates for cost per response are derived using the following formula: Average Burden Hours per Response \* \$87.00 per Hour = Average Cost per Response. The hourly cost figure comes from the FERC average salary (\$180,702/year). Commission staff believes the 2021 FERC average salary to be a representative wage for industry respondents.

collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: June 9, 2022.

**Kimberly D. Bose,**

*Secretary.*

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